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February 3, 2009

**Filed via Electronic Comment Filing System (ECFS)**

Marlene H. Dortch  
Office of the Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW, Suite TW-A325  
Washington, D.C. 20554

Re: Docket No. 06-36  
2008 CPNI Certification for Unite Private Networks, LLC *errata filing*

Dear Ms. Dortch:

Attached is the *revised* 2008 CPNI Certification submitted by Unite Private Networks LLC, consisting of four pages. In checking to determine whether this document was properly filed and posted on the Electronic Comment Filing System, it appears that I inadvertently attached a draft copy of a filing prepared on behalf of an affiliated entity, Unite Private Networks – Illinois, LLC. Please disregard the January 30, 2009 filing and substitute this in its place.

I apologize for any inconvenience. Should you have any questions, please don't hesitate to contact me at the above address.

Sincerely,

MARTIN, PRINGLE, OLIVER,  
WALLACE & BAUER, L.L.P.

Rachel Lipman Reiber

RLR/dwil  
Enc.

cc: Best Copy and Printing, Inc. via [FCC@BCPIWEB.COM](mailto:FCC@BCPIWEB.COM)  
Kevin M. Anderson

Annual 47 C.F.R. § 64.2009(e) CPNI Certification  
EB Docket 06-36

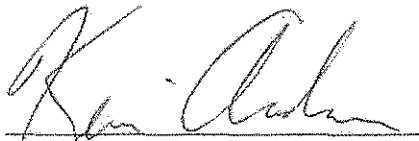
Annual 64.2009(e) CPNI Certification for 2008  
Date Filed: January 28, 2009  
Unite Private Networks, LLC  
Form 499 Filer ID: 14817357  
Name of Signatory: Kevin M. Anderson  
Title of Signatory: Chief Executive Officer

I, Kevin M. Anderson, certify that I am Chief Executive Officer of Unite Private Networks, LLC ("UPN"), and acting as an agent of UPN, that I have personal knowledge that UPN has established operating procedures that are adequate to ensure compliance with the Commission's CPNI rules. *See* 47 C.F.R. § 64.2001 *et seq.*

Attached to this certification are two documents. Exhibit A is a Statement in Support of Certification detailing UPNs' procedures ensure that it is in compliance with the requirements set forth in section 64.2001 *et seq.* of the Commission's rules.

UPN understands that companies must report on any information that they have with respect to the processes pretexters are using to attempt to access CPNI, and has detailed the preventive measures it has taken in Exhibit B.

The company has not received any customer complaints in the past year concerning the unauthorized release of CPNI, nor has UPN taken any actions (proceedings instituted or petitions filed by a company at either state commissions, the court system, or at the Commission against data brokers) against data brokers in the past year.



Kevin M. Anderson  
Chief Executive Officer

**Exhibit A**  
**Statement in Support of Certification**

1. During 2008, Unite Private Network, LLC ("UPN") did not use or disclose CPNI for any sales or marketing related purposes or activities.
2. UPN does not use CPNI for any purpose for which customer approval is required.
3. UPN has nonetheless established a supervisory review process regarding approval of CPNI use for sales and marketing purposes, should such use be contemplated, which includes the establishment, prior to such use of, *inter alia*, a CPNI customer approval and notification process.
4. Attached as Exhibit B is UPNs' Directive Regarding Use of Customer Proprietary Network Information ("the Directive") to all employees with access to CPNI. The Directive clearly states that it is UPNs' policy not to use CPNI for sales or marketing-related activities. The Directive addresses the Commission's requirements regarding customer approval for marketing uses of CPNI and prohibits any marketing-related use or disclosures of CPNI. The Directive also puts employees on notice of disciplinary action for inappropriate uses of CPNI, which may include termination of employment.
5. UPN has not used CPNI for any sales or marketing campaigns in 2008.
6. UPN has not disclosed or permitted access to CPNI to third parties for sales or marketing-related purposes.
7. UPN does not provide customers with telephone or online access to CPNI at this time, but has established a procedure for implementing authentication procedures should such access be contemplated.
8. UPN has not taken any actions against data brokers in the past year.
9. UPN did not receive any customer complaints in 2008 concerning the unauthorized use, release or disclosure of CPNI.
10. Unless otherwise noted, all statements herein cover operations during 2008.

## **EXHIBIT B**

### **DIRECTIVE REGARDING USE OF CUSTOMER PROPRIETARY NETWORK INFORMATION**

The Federal Communications Commission ("FCC") regulates the use of customer proprietary network information ("CPNI") by telecommunications carriers and interconnected VoIP providers. CPNI is broadly defined as information collected about a customer telephone call, including, but not limited to, call duration, date, destination, and network details – information that is commonly included in call detail records ("CDRs") and telephone bills for voice calls.

Pursuant to FCC regulations, in general, CPNI may only be used by a telecommunications carrier or VoIP provider for marketing-related purposes with prior customer approval. While the regulations provide for a number of different ways to obtain customer approval, the type of approval required (for example an opt-in versus and opt-out approach) depends on the particular marketing use of the CPNI. In addition, the FCC requires that providers take certain steps to protect against attempts to gain unauthorized access to CPNI, such as through authentication procedures used to access to online systems or through telephone access.

Unite Private Networks, LLC (the "Company") is committed to the protection of customer confidential information. It is the Company's policy that CPNI shall be protected from unauthorized use and disclosure. It is the current policy of the Company that CPNI is not used and shall not be disclosed in connection with any sales and marketing-related activities. In the event that an employee with access to CPNI contemplates any CPNI use in a sales or marketing activity, the employee must obtain prior express written approval from the Company's CPNI Supervisory Review Officer prior to making such use of the CPNI. In addition, employees may make use of such CPNI only in accordance with an approved plan for CPNI use and customer approval ("Approved Plan"), and may make no marketing use of CPNI until such Approved Plan has been implemented. The CPNI Supervisory Review Officer shall supervise the use of CPNI and ensure that such use complies with the Approved Plan and FCC regulations.


Under FCC rules, Interconnected VoIP providers may use CPNI to market those services formerly known as adjunct-to-basic services without customer approval. (These include speed dialing, computer-provided directory assistance, call monitoring, call tracing, call blocking, call return, repeat dialing, call tracking, call waiting, caller I.D., call forwarding, and certain Centrex features). It is nonetheless the Company's policy that CPNI will not be used to market these services without the approval of the CPNI Supervisory Review Officer and in accordance with an Approved Plan.

FCC rules permit customer access to CPNI via on line systems or via telephone access if certain customer authentication procedures and systems are put in place. At this time, the Company does not offer its customers online access or access via telephone to CPNI, and online or telephone disclosure by employees to customers of CPNI is not permitted. If online or telephone access to CPNI is requested by a Company customer, such access may not be provided

until express written approval of the CPNI Supervisory Officer has been obtained, and appropriate authentication procedures have first been put in place.

Notwithstanding the foregoing, CPNI may be used without prior customer approval under the following circumstances: the provision of inside wiring installation, maintenance, repair services, or to protect the Company, users and other carriers from fraudulent, abusive, or unlawful use of, or subscription to, the telecommunications services.

Failure to comply with this directive will result in disciplinary action, which may include actions up to and including termination of employment.

A handwritten signature in dark ink, appearing to read "Kevin Anderson", written over a horizontal line.

Kevin M. Anderson  
Chief Executive Officer